**COUNTY OF LOS ANGELES**
**SHERIFF'S DEPARTMENT**

# FORCE INCIDENT EVALUATION

| | |
|---|---|
| **UNIT:** | Century Station |
| **DATE:** | January 1, 2002 |
| **TIME:** | 2034 Hours |
| **LOCATION:** | [redacted] Pope Avenue, Lynwood |
| **URN#:** | 002-00046-2115-055 |
| **IAB#:** | SH - 2053327 |
| **NATURE OF INCIDENT:** | Deputies Hilgendorf, North and Welch were involved in hit shooting with Suspect Garcia after he pointed and shot at them with a .357 Caliber Revolver. |
| **COMPLETED BY:** | Sergeant Elier Morejon<br>Internal Affairs Bureau |
| **DATE:** | October 9, 2002 |

# Los A⁻ˀeles County Sheriff's Dep⁻ˀtment

# Officer Involved Shooting



| | | |
|---|---|---|
| Report Date: 01-01-02 | Bureau/Station/Facility: Lasd/Century | Admin. Invest.? ☐ Hit? ☒ |

**Incident Information**

| | |
|---|---|
| URN: 002-00046-2115-055 | Date: 01-01-02 Time: 2034 |
| City or Station: Lynwood | Nature of Incident: Deputy Involved Hit-Shooting |
| Location: [redacted] Pope Avenue, Lynwood | |

| Location Type (*circle one or more*): | Lighting (*circle only one*): | Incident Type (*circle one or more*): | Initiated by (*circle only one*): |
|---|---|---|---|
| Backyard<br>Beach<br>Business<br>Freeway<br>Industrial<br>Park<br>Parking Lot<br>(Residence)<br>Rural<br>School<br>(Street)<br>Other: ______ | (Darkness)<br>Daylight<br>Other<br>Street Lights<br><br>Weather (*circle only one*):<br>(Clear)<br>Cloudy<br>Fog<br>Rain<br><br>Distance: 15-25 yards | Accidental<br>(Armed Person)<br>Fleeing Suspect<br>(Foot Pursuit)<br>Gun Take Away<br>Moving Vehicle<br>Sniper/Ambush<br>Startle<br>Struggle Involved<br>Traffic Stop<br>Unarmed Person<br>Unintentional<br>Vehicle Pursuit<br>Warrant Service<br><br>Other: ______ | Arrest Warrant<br>Call<br>(Observation)<br>One Person Unit<br>Other<br>Search Warrant<br>Two Person Unit<br><br>Prior Activity (*circle only one*):<br>Detective<br>Inmate Transport<br>Other<br>(Routine Patrol)<br><br>Aero Unit? ☒ Canine Unit? ☐ |
| Total # of Shots Fired by Deputy: 16 | Total # of Shots Fired by Suspect: 6 | | |

**Employee Witnesses**

| Employee # | Last Name | First Name | M.I. | ShiftTime (*circle only one*): | ShiftType (*circle only one*): |
|---|---|---|---|---|---|
| [redacted] | Montenegro | Amber | | EM (PM) Day | (Regular) Overtime Off Duty |
| [redacted] | Harris | Thomas | D | EM PM (Day) | (Regular) Overtime Off Duty |
| [redacted] | Poirier | Michael | | EM PM (Day) | (Regular) Overtime Off Duty |

**Non-Employee Witnesses**

| Last Name | First Name | M.I. | Street Address | City | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|---|---|---|
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |

**Supervisors**

| Employee # | Last Name | First Name | M.I. | (*circle one or more*): |
|---|---|---|---|---|
| [redacted] | Ladenheim | Merryl | | (On Duty) Present during shooting Witness to shooting Involved in shooting |
| | | | | On Duty Present during shooting Witness to shooting Involved in shooting |

**Watch Sergeant**

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Vernon | Johnson | |

**Watch Commander**

| Employee # | Last Name | First Name | M.I. |
|---|---|---|---|
| [redacted] | Oguri | Kanzo | |

| PSTD Use Only |
|---|
| SH # 2053327 |

# Officer Involved Shooting

URN: 002-00046-2115-055



## Rollout Information

| Arrival Date | Arrival Time | Date Submitted | Date of Recommendation |
|---|---|---|---|
| 01-01-02 | 2300 | 10-09-02 | |

| Employee # | Last Name | First Name | M.I |
|---|---|---|---|
| [redacted] | Morejon | Elier | |
| [redacted] | Benjestorf | Terry | |
| [redacted] | Mannis | Karyn | |

## Shooting / Force Information

### Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

### Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

### Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

### Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

### Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

## FORCE APPLIED *(one code per block)*

| Used By (E# or S#) | Used Against (E# or S#) | Method (Code) | Brand (Code) | Caliber (Code) | Authorized Weapon? (Y/N) | Authorized Ammunition? (Y/N) | Type of Injury (Code) | Body Part (Code) |
|---|---|---|---|---|---|---|---|---|
| E#1 | S#1 | FH | BR | 9 | Y | Y | GS | AD |
| E#2 | S#1 | FH | BR | 9 | Y | Y | GS | AD |
| E#3 | S#1 | FH | BR | 9 | Y | Y | GS | AD |
| S#1 | E#1 | FH | ZZ | 35 | - | - | NN | - |
| S#1 | E#2 | FH | ZZ | 35 | - | - | NN | - |
| S#1 | E#3 | FH | ZZ | 35 | - | - | NN | - |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |



See Front Side

# Officer Involved Shooting
# Involved Employee Information

URN: 002-00046-2115-055



## Involved Employee

**E 1**

| Field | Value |
|---|---|
| Employee # | [redacted] |
| Last Name | North |
| First Name | James |
| M.I. | J. |
| Sex | M |
| Race | W |
| Rank | Deputy |
| Unit Assignment | Century Station |
| Work Assignment (Unit #, Module, etc.) | 212E1 |
| ShiftTime (*circle only one*): EM / PM / Day | PM (circled) |
| ShiftType (*circle only one*): Regular / Overtime / Off Duty | Regular (circled) |
| Intoxication/Drug Usage? | ☐ |
| Substance Used | |
| Hospital Admission? | ☐ |
| Hospital Name | |
| Coroner Case? | ☐ |
| Coroner Case # | |
| Interviewed? | ☒ |
| Hrs of sleep prior to shooting | 7 |
| Duty Time (hrs) | [redacted] |
| Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest | Uniform w/ Vest (circled) |
| Other Factors | |
| Age | [redacted] |
| Height | 511 |
| Weight | 185 |
| Range Qualification Date | [redacted] |
| PPC Qualification Date | |
| Laser Training Date | |
| Certified with Weapon Used? | [redacted] |
| Patrol Certification? | [redacted] |
| Certification Unit | [redacted] |
| Prior Shootings? | ☒ |
| Number of Prior Shootings | 1 |
| Field Training Officer Emp # | [redacted] |
| Last Name | [redacted] |
| First Name | [redacted] |
| M.I. | |
| Field Training Officer Emp # | [redacted] |
| Last Name | [redacted] |
| First Name | [redacted] |
| M.I. | |

**E 2**

| Field | Value |
|---|---|
| Employee # | [redacted] |
| Last Name | Welch |
| First Name | Michael |
| M.I. | E. |
| Sex | M |
| Race | W |
| Rank | Deputy |
| Unit Assignment | Century Station` |
| Work Assignment (Unit #, Module, etc.) | 212T3 |
| ShiftTime (*circle only one*): EM / PM / Day | PM (circled) |
| ShiftType (*circle only one*): Regular / Overtime / Off Duty | Regular (circled) |
| Intoxication/Drug Usage? | ☐ |
| Substance Used | |
| Hospital Admission? | ☐ |
| Hospital Name | |
| Coroner Case? | ☐ |
| Coroner Case # | |
| Interviewed? | ☒ |
| Hrs of sleep prior to shooting | 7 |
| Duty Time (hrs) | [redacted] |
| Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest | Uniform w/ Vest (circled) |
| Other Factors | |
| Age | [redacted] |
| Height | 510 |
| Weight | 190 |
| Range Qualification Date | [redacted] |
| PPC Qualification Date | |
| Laser Training Date | |
| Certified with Weapon Used? | [redacted] |
| Patrol Certification? | [redacted] |
| Certification Unit | [redacted] |
| Prior Shootings? | [redacted] |
| Number of Prior Shootings | [redacted] |
| Field Training Officer Emp # | [redacted] |
| Last Name | [redacted] |
| First Name | [redacted] |
| M.I. | |
| Field Training Officer Emp # | [redacted] |
| Last Name | [redacted] |
| First Name | [redacted] |
| M.I. | |

**E 3**

| Field | Value |
|---|---|
| Employee # | [redacted] |
| Last Name | Hilgendorf |
| First Name | Kevin |
| M.I. | K. |
| Sex | M |
| Race | W |
| Rank | Deputy |
| Unit Assignment | Century Station` |
| Work Assignment (Unit #, Module, etc.) | 213D1 |
| ShiftTime (*circle only one*): EM / PM / Day | PM (circled) |
| ShiftType (*circle only one*): Regular / Overtime / Off Duty | Regular (circled) |
| Intoxication/Drug Usage? | ☐ |
| Substance Used | |
| Hospital Admission? | ☐ |
| Hospital Name | |
| Coroner Case? | ☐ |
| Coroner Case # | |
| Interviewed? | ☒ |
| Hrs of sleep prior to shooting | 8-9 |
| Duty Time (hrs) | [redacted] |
| Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest | Uniform w/ Vest (circled) |
| Other Factors | |
| Age | [redacted] |
| Height | 605 |
| Weight | 240 |
| Range Qualification Date | [redacted] |
| PPC Qualification Date | |
| Laser Training Date | |
| Certified with Weapon Used? | [redacted] |
| Patrol Certification? | [redacted] |
| Certification Unit | [redacted] |
| Prior Shootings? | [redacted] |
| Number of Prior Shootings | [redacted] |
| Field Training Officer Emp # | [redacted] |
| Last Name | [redacted] |
| First Name | [redacted] |
| M.I. | |
| Field Training Officer Emp # | [redacted] |
| Last Name | [redacted] |
| First Name | [redacted] |
| M.I. | |



See Other Side

# Officer Involved Shooting
# Suspect Information

URN: 002-00046-2115-055



## Suspect Information

**S 1**

| | | | |
|---|---|---|---|
| Last Name: Garcia | | First Name: Leonard | M.I. |
| AKA Last Name: "Little Payaso -- Young Crowd Gang" | | First Name | M.I. |
| Sex: M Race: H | Street Address: [redacted] | City [redacted] | State & Zip Code: [redacted] |
| Work Phone: [redacted] | Home Phone: [redacted] | Social Security #: [redacted] | Driver's License #: [redacted] |
| Age: 19 D.O.B. 01-16-82 | Height: 509 Weight: 135 | FBI # [redacted] | CII # [redacted] |
| Booking # ---------- | Primary Charge: A187 PC | Secondary Charge: | |
| Coroner Case? ☒ | Coroner Case # 2002-00040 | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☒ | Apprehended? ☒ | Mental Illness? ☐ | Criminal History? [redacted] |
| Vehicle Make N/A | | Model: | Year: |

**S__**

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

**S__**

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

**S__**

| | | | |
|---|---|---|---|
| Last Name | | First Name | M.I. |
| AKA Last Name | | First Name | M.I. |
| Sex: Race: | Street Address: | City | State & Zip Code: |
| Work Phone: | Home Phone: | Social Security #: | Driver's License #: |
| Age: D.O.B. | Height: Weight: | FBI # | CII # |
| Booking # | Primary Charge: | Secondary Charge: | |
| Coroner Case? ☐ | Coroner Case # | Intoxication/Drug Usage? ☐ | Substance Used: |
| Armed? ☐ | Apprehended? ☐ | Mental Illness? ☐ | Criminal History? ☐ |
| Vehicle Make | | Model: | Year: |

# SUPPLEMENTAL NON-EMPLOYEE WITNESSES
## Los Angeles County Sheriff's Department



**Non-Employee Witnesses**

| Last Name | First Name | M.I. | Street Address | Zip Code | Work Ph | Home Ph |
|---|---|---|---|---|---|---|
| [redacted] | [redacted] | | [redacted] | [redacted] | [redacted] | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | [redacted] | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | [redacted] | [redacted] |
| [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] | [redacted] |
| [redacted] | [redacted] | | [redacted] | [redacted] | [redacted] | [redacted] |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

# INVESTIGATIVE SUMMARY

# INVESTIGATIVE SUMMARY
## DEPUTY INVOLVED HIT SHOOTING
## SUSPECT DEAD
## IAB SH-2053327
## URN: 002-00046-2115-055

On Tuesday, January 1, 2002, Sergeants Elier Morejon and Terry Benjestorf along with Lieutenant Karyn Mannis of the Internal Affairs Bureau responded to Century Station regarding a deputy involved hit shooting. Deputies James North, Michael Welch and Kevin Hilgendorf were involved in a shooting with an armed suspect.

The summary of this incident is based on information obtained from reports, and other documents regarding Century Station File #002-00046-2115-055, and interviews of involved sworn personnel and civilian witnesses. **(See Exhibit - A)**

**INVOLVED PERSONNEL:**

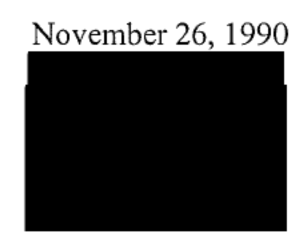
**NORTH,** James, Deputy, #[redacted] — Fired five rounds
**WELCH,** Michael, Deputy #[redacted] — Fired two rounds
**HILGENDORF**, Kevin, Deputy #[redacted] — Fired nine rounds

Century Station
Field Operations Region II

**EMPLOYEE WORK HISTORY:**

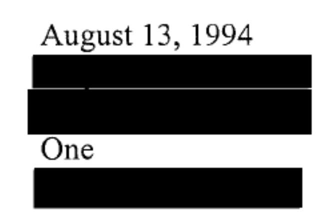
**HILGENDORF**, Kevin

| | |
|---|---|
| Date of Employment: | November 26, 1990 |
| Date assigned to Patrol: | [redacted] |
| Completed Patrol Training: | |
| Prior Shooting Incidents: | |
| Prior Founded Force Incidents: | |



**NORTH,** James

| | |
|---|---|
| Date of Employment: | August 13, 1994 |
| Date assigned to Patrol: | [redacted] |
| Completed Patrol Training: | [redacted] |
| Prior Shooting Incidents: | One |
| Prior Founded Force Incidents: | [redacted] |



**WELCH,** Michael

| | |
|---|---|
| Date of Employment: | March 29, 1996 |
| Date assigned to Patrol: | [redacted] |
| Completed Patrol Training: | |
| Prior Shooting Incidents: | |
| Prior Founded Force Incidents: | |

**SUSPECT:**

**GARCIA, Leonard M/H/19**
Suspect Garcia [redacted] **(See Exhibit - B)**

**WITNESSES:**

**Sworn:**

[redacted]

**MONTENEGRO**, Amber, Deputy #[redacted]

**HARRIS,** Thomas Deputy #[redacted]

**POIRIER,** Michael Deputy #[redacted]

**Civilian:**

| | |
|---|---|
| [redacted] FH/22 | Witness (Suspect's [redacted] |
| [redacted] FH/21 | Witness |
| [redacted] MB/38 | Witness |
| [redacted] MH/37 | Witness |
| [redacted] MH/19 | Witness |
| [redacted] MH/22 | Witness |
| [redacted] MH/46 | Witness |


[redacted] MH/35 Witness

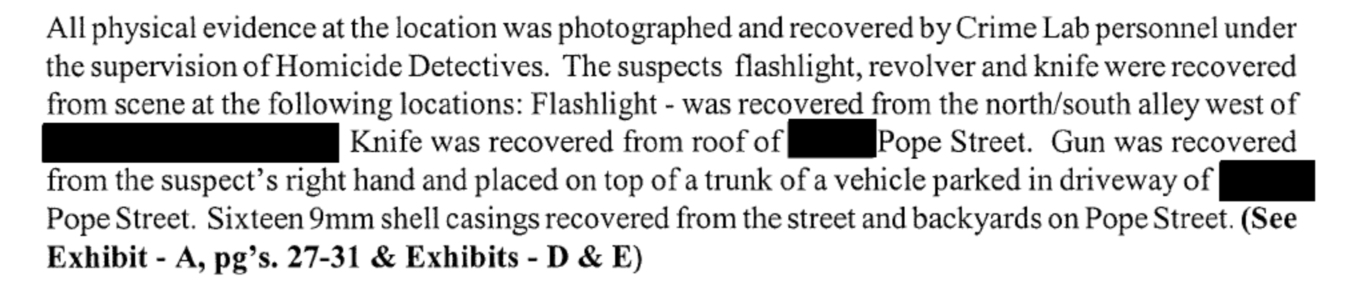
**INJURIES:**

Suspect Garcia was transported to Saint Francis Hospital where he was treated by Dr. S. Little for two gunshot wounds: one to his chest and a second to his head. Suspect Garcia was pronounced dead by Doctor Little at 2317 hours. The autopsy report contained the following opinions: The gunshot to the left breast is a contact wound and definitely antemortem. It would be expected to cause death in a matter of minutes but is not instantly fatal and would not necessarily be instantly incapacitating. The gunshot wound to the head is a distant wound. It is instantly incapacitating but not instantly fatal. There is evidence that the decedent survived it by at least several minutes. The autopsy dis not reveal who fired gunshot wound #2. If the decedent fired it, he could only have fired it prior to receiving the gunshot wound of the head. If it was fired by another, then it could have been fired either before or after the gunshot wound to the head. **(See Exhibit - A, pg. 115-116)**

> **IAB NOTE: Secondary Neuropathology report was conducted by the Coroner's office at the request of Homicide Bureau. The following is the amended findings: "The gunshot wound to the head was not necessarily instantly incapacitating, as we had earlier thought. Therefore it was indeed possible for decedent to have fired the shot into his chest, even after receiving the head wound." (See Exhibit A-1 for copy of Supplemental report)**

> **IAB NOTE: It was determined after ballistic tests that the bullet that hit Suspect Garcia in the head was fired from Deputy North's handgun.** **(See Exhibit - C)**

**PHYSICAL EVIDENCE:**


All physical evidence at the location was photographed and recovered by Crime Lab personnel under the supervision of Homicide Detectives. The suspects flashlight, revolver and knife were recovered from scene at the following locations: Flashlight - was recovered from the north/south alley west of [redacted] Knife was recovered from roof of [redacted] Pope Street. Gun was recovered from the suspect's right hand and placed on top of a trunk of a vehicle parked in driveway of [redacted] Pope Street. Sixteen 9mm shell casings recovered from the street and backyards on Pope Street. **(See Exhibit - A, pg's. 27-31 & Exhibits - D & E)**

**INVESTIGATOR OBSERVATIONS:**

The location of the incident is a residential track of single story homes. Upon arrival investigators observed a crime scene blocked off by yellow Sheriff's Department "do not cross" tape. Investigators observed several black and white Sheriff's radio cars inside the crime scene. Also

scattered on Pope Avenue were numerous 9mm shell casings. Investigators also saw several 9mm shell casings in the rear yards of [redacted] & [redacted] Pope Street. Between the residence at [redacted] & [redacted] Pope Avenue is an approximately six foot tall wood fence, in which investigators saw what appeared to be a penetrating bullet hole near the top. **(See Exhibit - E)**

**WEAPONS USED BY DEPUTY PERSONNEL:**

All three Deputies involved in the shooting were using their Los Angeles County Sheriff's Department issued Beretta 9mm handgun.

**WEAPONS USED BY SUSPECT:**

Revolver, "Dan Wesson", Serial Number #[redacted], .357 Caliber, four inch blue steel barrel, with black rubber grips. The revolver contained six expended .38 caliber shell casings. There were four "Federal" shell casings and two "Winchester" shell casings. **(See Exhibit - D)**

**PROPERTY DAMAGE:**

A wood fence at [redacted] Pope Street was struck by a single gunshot. Roof tops at [redacted] & [redacted] were also struck by gunshots. A vehicle (Lexus) parked facing south on Pope Street was struck in the front passenger door by one of the suspect's rounds. An air conditioning unit on the roof of [redacted] Pope Street was also struck by a gunshot. **(See Exhibit - F)**

**CRIMINAL INVESTIGATOR/CHARGES FILED:**

Suspect Deceased - No charges filed.

**LIGHTING AND WEATHER CONDITIONS:**

This incident occurred during the evening hours. The weather was dry and clear.

**DEPUTY [redacted]**

Deputy [redacted] said he was on routine patrol when he observed a male Hispanic (later identified as Suspect Garcia) walking with a female Hispanic (later identified as Witness [redacted]) southbound on the west sidewalk of Dunlop Avenue from Sanborn Avenue. Deputy [redacted] saw Suspect Garcia clutching onto a metal, dark colored pipe like object, approximately one foot in length. Believing that he was in possession of a metal billy club, he detained him pending an investigation. Deputy [redacted] asked Suspect Garcia what he was carrying. Suspect Garcia handed a "Mag Lite" to Deputy [redacted]. Deputy [redacted] and Suspect Garcia had a conversation regarding the reason for carrying the flashlight and the fact that he was on active probation. During the conversation, Suspect Garcia started yelling at Deputy [redacted] stating, " Why you fucking with us, let us go."

Suspect Garcia became very angry and grabbed Witness [redacted] from behind using her as a shield between himself and Deputy [redacted]. He eventually kissed Witness [redacted], told her that he would miss her, and started to run westbound Sanborn Avenue. Deputy [redacted] gave chase until Suspect Garcia entered the residence at [redacted] Pope Street. Deputy [redacted] set up a containment and awaited for backup units to arrive. **(See Exhibit - A, Pg's 1-8)**

## INVOLVED EMPLOYEE'S STATEMENTS:

### DEPUTY KEVIN HILGENDORF:

Deputy Hilgendorf was working Century Unit, 213D1, PM Shift, [redacted] hours, with is partner Deputy Amber Montenegro. Deputy Hilgendorf was driving and Deputy Montenegro was the passenger. They were at Long Beach Boulevard and Imperial Highway when he heard an assistance request via the radio at Sanborn Avenue and Duncan Avenue, City of Lynwood. He heard that Deputy [redacted] was in foot pursuit of a possible armed suspect. He drove east on Beachwood Avenue and south on Pope Avenue and contacted Deputy [redacted], who was on Pope Avenue. Deputy [redacted] told him that he stopped a male and a female, and the male ran from him and had a gun. He also told him that the male ran as he chased him on Pope Avenue and the male then ran through a house where he lost sight of him.

Deputy Hilgendorf, with the assistance of Aero bureau, started setting up a containment of the location. He was contacted by several residents of Pope Avenue who told him that they had seen the suspect running south through back yards with a large black gun in his hand. Deputy Hilgendorf advised all deputy personnel that the suspect was definitely armed and not to chase the suspect. Deputy Hilgendorf spoke to a resident from [redacted] who told him the suspect was in his back yard and the suspect had climbed a tree. Deputy Hilgendorf immediately advised Aero and shined his flashlight at the tree. He said the tree hung over the west roof line of the residence. Aero immediately directed their light onto the tree. Deputy Hilgendorf stood at the sidewalk, near the front gate of [redacted] Pope Avenue. He said he looked up and saw the suspect on the roof of [redacted] Pope Avenue. He was holding a blue steel handgun in his right hand. The suspect turned toward Deputy Hilgendorf and shouted, "Fuck you, bring it on mother fuckers." The suspect looked at Deputy Hilgendorf and ran north and then east, toward Deputy Hilgendorf. The suspect then shot at Deputy Hilgendorf. Deputy Hilgendorf said he could see the muzzle flash coming from the suspect's gun. Deputy Hilgendorf, fearing for his life, drew his Beretta pistol and returned fire at the suspect. Deputy Hilgendorf said the suspect was very aggressive as he continued to shoot as he ran towards him. The suspect retreated when Deputy Hilgendorf returned fire. He said the suspect fired at least two rounds in his direction and then ran in a westerly direction and fired to the north. He saw the suspect jump onto the roof of [redacted] Pope Avenue. The suspect was pointing the gun north and shooting. He said he heard an exchange of gunfire between the suspect and someone from the north. Deputy Hilgendorf believed that the suspect was firing at another person so he fired two more rounds at the suspect. Deputy Hilgendorf said the suspect dropped and he could not see him because of the configuration of the roof. He said he never saw the suspect again. Deputy Hilgendorf

said he heard Aero Bureau deputies advise that the suspect was down. The containment was held until the arrival of Special Enforcement Bureau. Special Enforcement Bureau Deputies deployed and Deputy Hilgendorf said he heard a flashbang go off on the roof of [redacted] Pope Avenue. He said he later heard that the suspect was in custody. **(See Exhibit - G)**

**DEPUTY JAMES NORTH:**

Deputy North was working Century Station, Unit 212E1, PM shift, [redacted] hours. He said he was a few blocks west of Deputy [redacted] location when he heard Deputy [redacted] request a unit back-up regarding a pedestrian stop. Deputy North acknowledged the request and drove code-3 to the location. As he drove to the location, Deputy [redacted] broadcasted that the suspect ran from him and he was now in a foot pursuit. Deputy North drove north on Pope Avenue from Sanborn Avenue and saw Deputy [redacted] standing on Pope Avenue. He said that several Century units were also arriving and a Sheriff's helicopter was overhead. Deputy North exited his vehicle and contacted a male Hispanic resident at [redacted] who told him he saw a male Hispanic wearing a jersey and carrying a handgun run south through the back yard. Deputy North walked south on Pope Avenue and contacted Deputy Hilgendorf telling him about the updated information. He said while he stood near Deputy Hilgendorf someone asked what type of weapon the suspect was carrying. Deputy North walked back to the rear garage at [redacted] and contacted two residents. Deputy North's attention was directed by the two residents to the south as the two residents pointed and said, "There he is, he's on the roof." Deputy North looked south and saw the suspect standing on the roof of [redacted] Pope Avenue. Deputy North was looking at the left side of the suspect as the suspect looked east and pointed a handgun in a downward and easterly direction. Deputy North knew that he had just left Deputies Hilgendorf and Welch near the location where the suspect was pointing his handgun towards.

Deputy North saw and heard the suspect fire two rounds in the direction of Deputies Hilgendorf and Welch. Fearing for their lives and safety of deputies on Pope Avenue, Deputy North fired two rounds from his Beretta pistol. This caused the suspect to divert his attention towards him. He then saw the suspect turn and fire two rounds in his direction. He said he heard the suspect's bullets impacting objects near him. Deputy North was standing behind a sheet of plywood which was the fence between the residences. He realized that this was not offering him any protection so he moved to the yard just south of him at [redacted] Pope Avenue. He positioned himself in the northwest corner of the residence. As he positioned himself he saw the suspect jump onto a roof north of where he was standing during their initial exchange of gunfire. The suspect was now standing on the roof of [redacted] Pope Avenue. Deputy North again saw the suspect point his gun directly at him as he held it in his right hand. Deputy North felt the suspect was attempting to kill him; fearing for his life, he fired three more rounds from his Beretta pistol. Deputy North said the suspect went down and he lost sight of him. Deputy North said he held his containment until Special Enforcement Bureau responded and took the suspect into custody.

**DEPUTY MICHAEL WELCH:**

Deputy Welch was working Century Station, Unit 212T3, PM Shift, [redacted] hours. Deputy Welch heard Deputy [redacted] broadcast of a foot pursuit at Sanborn Avenue and Pope Avenue, of an armed suspect who was running west through the houses, from Pope Avenue. Deputy Welch took a containment position on Virginia Avenue and Sanborn Avenue. He said there were several radio cars arriving code-3 to the location. Deputy [redacted] asked for a unit assistance on Pope Avenue so he drove north on Pope Avenue from Sanborn Avenue to assist. Deputy [redacted] described the suspect to Deputy Welch.

Deputy Welch said there was a Sheriff's helicopter over head who assisted while Deputy Hilgendorf directed units for containment. Deputy Welch heard Deputy Hilgendorf telling deputies in the containment not to chase the due to the fact he was armed. Deputy Welch took a containment position by moving his radio car in front of [redacted] Pope Avenue. He parked his car in the middle of the street, facing north. He pointed his spotlight towards a tree at the rear of [redacted] Pope Avenue because information had been given that the suspect was possibly in the tree. He said that after illuminating the tree he realized that he was also illuminating Deputy Hilgendorf, so he turned it off. Deputy Welch saw the Sheriff's helicopter illuminate the roof of [redacted] Pope Avenue as Deputy Hilgendorf looked toward the roof and said, "Hey, he's on the roof...he's moving." Deputy Welch watched as Deputy Hilgendorf ran north on the west sidewalk. Deputy Welch ran south and he heard yelling and heard "shots coming down" from the roof of [redacted] Pope Avenue. Deputy Welch took cover west of a parked truck which was facing south on the west curb line of Pope Avenue. He saw that Deputy Hilgendorf was not shooting. Deputy Welch then moved east of his own radio car for cover. Deputy Welch saw Deputy Hilgendorf fire his handgun toward the roof of [redacted] Pope Avenue. Deputy Welch continued to hear shots coming from the roof area west and above him, which he believed to be directed towards Deputy Hilgendorf. Deputy Welch could not see the suspect from his position so he stepped north of his radio car and saw the suspect running west on the roof of [redacted] Pope Avenue. Deputy Welch saw the suspect jump from that location, onto the roof of the next residence to the north, at [redacted] Pope Avenue.

Deputy Welch saw the suspect raise what appeared to be a handgun and point it north, in the direction of where he knew other deputies to be. Deputy Welch, fearing for the safety of other deputies, fired two rounds at the suspect. He saw the suspect drop below his line of sight on the roof of [redacted] Pope Avenue, and he did not see the suspect again.

**SWORN WITNESS' STATEMENTS:**

**DEPUTY AMBER MONTENEGRO:**

Deputy Montenegro was working Century Station, Unit 213D1, PM Shift, [redacted] hours. Deputy Montenegro was working with her [redacted] Deputy Hilgendorf. Deputy Montenegro said she heard Deputy [redacted] asking for back up in the area of Pope Avenue and Beachwood Avenue. She said as they drove to the location the call was graduated to an assistance request. On the way to the

location they learned that the suspect wanted was a male Hispanic, armed with a handgun, and wearing a shirt with the number "13" on the front. They drove south on Pope Avenue and contacted Deputy [redacted] She exited her vehicle and took a containment position at [redacted] Pope Avenue. Deputy Hilgendorf walked south and began to talk to residents. Deputy Montenegro said she heard several radio transmissions indicating that the suspect had being seen in a back yard, then on a tree and then on a roof. She said that Deputy Hilgendorf had obtained information that led them to believe the suspect was further south than their containment. Deputy Montenegro said she drove their radio car and repositioned it approximately two houses further south in order to reduce the containment size. She said she positioned one of the car's spotlight south toward the presumed location of the suspect. She said she was walking toward a front yard on the west side of Pope Avenue, when she heard two gunshots coming from Deputy Hilgendorf's location. There was a pause and then she heard several more shots fired. She said she was still in the middle of the street when the shots started and she ran south to help Deputy Hilgendorf. Deputy Montenegro then heard shots coming from north of her location. She said she took cover behind a Chevrolet van in front of [redacted] Pope Avenue. As she took cover she heard someone broadcast over the radio, "998, we're taking rounds."

Deputy Montenegro saw Deputy Hilgendorf run into the street and take cover behind a parked vehicle, which was on the west curbline of the street and approximately two houses south of her location. She heard that the suspect was on the roof and was moving north from roof to roof. She looked west towards the houses and saw the suspect, from his mid-thigh section up, standing on the roof of [redacted] Pope Avenue. As she looked at him she could see that he was holding a handgun in his right hand. The suspect fell onto the roof and she lost sight of him. Deputy Montenegro never saw the suspect fire his handgun.

**DEPUTY THOMAS D. HARRIS:**

Sergeant Pietrantoni, Special Enforcement Bureau Team Sergeant, arrived at the scene and learned through Aero that Suspect Garcia was on the roof top of [redacted] Pope Street and was holding a handgun in his right hand. Special Enforcement Team was deployed and as they approached the location they were notified by Deputy Rector (long rifle) that the suspect was laying on his back on the roof holding a handgun in his right hand. Deputy Harris said as they climbed onto the roof top of the garage, they saw the suspect laying on the roof holding a blue steel handgun in his right hand. Sergeant Pietrantoni ordered Deputy Harris to deploy a flashbang. Deputy Harris ultimately recovered the handgun and gave it to Deputy Foisner, who was on the ladder. Deputy Foisner gave the handgun to Sergeant Arriaga from Century Station.

**IAB NOTE: Investigators interviewed Deputy Foisner who said he was handed the suspect's gun by Deputy Harris. He placed it the glove compartment of his Armored Rescue Vehicle for approximately ten minutes. Deputy Foisner then relinquished the gun to who he believed was the handling unit.**

**IAB NOTE: Investigators interviewed handling Deputy [redacted] who said that after the foot pursuit a containment was established. He immediately responded to the command post and remained until the operation was over. He said he was never handed the suspect's gun nor did he ever see it.**

## DEPUTY MICHAEL POIRIER

Deputy Poirier was working Air-24 as the pilot with his partner Deputy Olesinski as the observer on the night of the incident. He said they saw Suspect Garcia on top of a roof partially under a tree. He saw the suspect's hand extended as if he was pointing a handgun. Shortly after, ground units advised that the suspect was shooting at them from the roof. The suspect emerged from the tree and they saw him lay down on the roof. He then got up and jumped onto the roof top of the house to the north. Again, they were advised that shots had been fired by the suspect. They saw the suspect lay down on the roof near the middle of the house. He was on his back with his feet near the edge of the roof. They saw that he was holding a handgun in his right hand. They provided lighting for the deputies until the suspect was taken into custody.

## <u>CIVILIAN WITNESS' STATEMENTS:</u>

[redacted]

Witness [redacted] said she is Suspect Garcia's [redacted]. She and Suspect Garcia were walking from his [redacted] house at [redacted]. They were walking to a friend's house to deliver a black flashlight. They were walking south on Duncan Avenue from Sanborn Avenue, when a deputy approached them and asked Suspect Garcia what he was carrying. She said Suspect Garcia handed the deputy the flashlight as he asked Suspect Garcia if he was on probation. Suspect Garcia answered saying he was on probation for Strong Armed Robbery. She said Suspect Garcia moved behind her and "hugged" her from behind as they faced the deputy. Suspect Garcia told her that he loved her as the deputy pointed his gun at Suspect Garcia and asked him if he had a gun. She told the deputy not to shoot him and then told Suspect Garcia to run. Suspect Garcia walked backwards, on the sidewalk, pulling her along. He then kissed the side of her head and ran from the deputy. The deputy chased Suspect Garcia on foot while holding the flashlight in his hand. She also gave chase and saw the deputy drop the flashlight on Sanborn Avenue west of Duncan Avenue. Witness [redacted] believes Suspect Garcia ran because he had a probation violation. She was unaware that he was in possession of a handgun.

The deputy chased Suspect Garcia onto northbound Pope Avenue and she then lost sight of them. She was scared and heard a helicopter overhead on Pope Avenue, so she walked down Duncan Avenue and hid in a yard. While hiding she heard gunshots coming from northwest of her location.

She came out of the yard and then heard one more gunshot. She did not see any of the shooting take place. Witness [redacted] said that Suspect Garcia was a member of the "Young Crowd" gang and they had recently been having trouble with the "MS" gang. She said a lot of the gang members have been carrying guns lately but she really was unaware that Suspect Garcia carrying one while they were walking.

[redacted]

Witness [redacted] said she was visiting a friend on Pope Avenue and decided to go to the store and get some food. When she returned and parked on Pope Avenue she saw several radio cars on the street. She said she was confused so she remained in her car and after a few minutes she heard approximately ten gunshots coming from behind her car. She did not see who was firing or where the shots came from.

[redacted]

Witness [redacted] said he was in his front bedroom when he heard a loud sound of something hitting the side of his house. He heard dogs barking and the sound of a helicopter circling the area. He went outside and saw several uniformed deputies. One of the deputies was standing on the sidewalk in front of his house. He went back inside of his house and heard footsteps on the roof. He then heard approximately fifteen gunshots that sounded like they were fired from the front area of his yard. He then heard more footsteps on his roof and a loud sound that also came from the roof. He said he did not hear any words being spoken. He said his television was on and that might have prevented him from hearing anyone talking. He said he never saw anyone on the roof nor did he see who did the shooting.

[redacted]

Witness [redacted] said he was in his rear garage and he heard a helicopter above his house. He saw the light from the helicopter illuminating his residence. He closed his garage door and went inside his house. While inside his house, he heard approximately six gunshots and he heard someone running on his roof. He did not hear any words spoken and he did not see anyone on his roof. He does not know who fired the gunshots.

[redacted]

Witness [redacted] said he was inside his house and he heard someone running on his roof and then heard about six or seven gunshots. He said he does not know who fired the gunshots nor did he see anyone on his roof.


[redacted]

Witness [redacted] said he was in his residence when he heard approximately five to six shots.


[redacted]

Witness [redacted] said he heard his neighbor's dogs, to the rear, barking and making noises. He came outside to see what was wrong and he saw a helicopter shining a light on the houses to the south of him. He looked in the direction of the light and saw a tree moving at the rear of [redacted] Pope Avenue. He alerted a deputy who came to his back yard between the front and rear house on his property. Witness [redacted] said he heard three gunshots coming from south of his location. The deputy standing near him looked south and fired two shots in a southernly direction. He did not see who the deputy was shooting at and he did not see a suspect with a gun.


[redacted]

Witness [redacted] said he heard his dog crying so he went outside to investigate. He said he looked south over a fence and saw a tall male jump onto a gate and onto the roof of [redacted] Pope Avenue. The man was wearing a blue basketball jersey and had a black handgun in his right hand. The man ran south on the roof causing Witness [redacted] to lose sight of him. Witness [redacted] went to his front yard and told a deputy what he had seen. He said he then returned to his house and went inside. He said he then saw a deputy standing and talking to his neighbor, Witness [redacted], between his residence and the front residence. He then heard a gunshot which sounded like it came from the south, where he had seen the man on the roof. He then saw the deputy that was with Witness [redacted] fire two shots in a southernly direction, upwards, towards the house with the man on the roof. He then heard many gunshots and a final single gunshot.

**SUSPECT STATEMENTS:**

**LEONARD GARCIA:**

None.